

## SEVENTEENTH DAY

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TUESDAY, September 14, 2021

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Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

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### ROLL CALL

Present – Legislators Allkofer, Ancello, Barnhart, Bauroth, Baynes, Boyce, Carbone, Colby, DiFlorio, Dondorfer, Felder, Flagler-Mitchell, Hasman, Hebert, Keller, Keophetlasy, LaMar, Lee, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Wilcox, Wright, Yudelson – 27

Absent – Legislators Boyce and Delehanty – 2

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### MOMENT OF PRAYER

The meeting formally opened. Prayer led by Minister Althea Tyson of Prayer House Church of God, at the invitation of Legislator Sabrina LaMar. The Pledge of Allegiance to the Flag was led by Legislator Sabrina LaMar.

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### APPROVAL OF MINUTES

Without objection, the Journals of Day 16 of August 10, 2021 were approved as submitted.

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### PETITIONS AND COMMUNICATIONS

Legislators were notified by President Carbone that referrals for the next committee cycle are available on Novus Agenda.

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### PROCLAMATIONS

*None*

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### RECESS

President Carbone recessed the meeting to allow for a series of Public Hearings entitled...

*“Enacting a Local Law Entitled “Regulating Sale of Used Catalytic Converters”*

One speakers addressed the Legislature and the Public Hearing concluded at 6:22 P.M.

*“Enacting a Local Law Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station;” and Amending the 2021-2026 Capital Improvement Program”*

No speakers addressed the Legislature and the Public Hearing concluded at 6:23 P.M.

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**RECONVENING LEGISLATURE**

President Carbone reconvened the recessed meeting of August 10, 2021 and proceeded under the Usual Order of Business.

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**FORMAL COMMITTEE REPORTS**

*None*

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**PUBLIC FORUM**

An Open Forum was conducted. There were fourteen speakers and the Open Forum concluded at 7:11 P.M.

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**RECESS**

A recess was declared by President Carbone to allow for a meeting of the **Pure Waters Administrative Board**.

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**RECONVENING LEGISLATURE**

President Carbone reconvened the recessed meeting of September 14, 2021 and proceeded under the Usual Order of Business.

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**CONSIDERATION OF LOCAL LAWS**

1. Dondorfer & Hebert  
Intro. 394  
M. 100  
24-3  
21-0258.LL Providing that Local Law (Intro No. 354 of 2021) Entitled, "Regulating Sale of Used Catalytic Converters," be Lifted from the Table  
*(Legislators Bauroth, Morelle, Jr. and Wilcox Voted in the Negative.)*
2. Dondorfer & Hebert  
Intro. 395  
M. 101  
20-7  
Intro. 396  
M. 102  
9-18  
Intro. 395  
M. 101  
20-7  
21-0258.LL Providing that Local Law Entitled, "Regulating Sale of Used Catalytic Converters," be Adopted  
Agenda/Charter Committee; July 25, 2021 – CV: 4-0  
Public Safety Committee; July 26, 2021 – CV: 8-0  
*(Legislators Bauroth, Baynes, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative)*  
*Wilcox and Morelle, Jr. (Motion to Table)*  
*(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, and Yudelson Voted in the Positive.)*  
Main Motion  
*(Legislators Bauroth, Baynes, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson Voted in the Negative.)*
3. Barnhart & Dondorfer  
21-0296.LL Providing that Local Law Entitled, "To Establish the Food Delivery Fairness Act,"  
Agenda/Charter Committee; August 23, 2021 – CV: 4-0

Intro. 397

*Introductory Purposes*

4. Barnhart & Dondorfer Intro. 398 M. 103 27-0 21-0296.LL Providing that Local Law (Intro. No. 103 of 2021) Entitled, “To Establish the Food Delivery Fairness,” Be Tabled
5. Barnhart & Dondorfer Intro. 399 Res. 284 27-0 21-0296.LL Fixing a Public Hearing on Local Law (Intro No. 103 of 2021) Entitled, “To Establish the Food Delivery Fairness Act”

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**MOTIONS, RESOLUTIONS AND NOTICES**

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6. Morelle, Jr. & Hebert Intro. 400 M. 104 27-0 21-0265 Providing that Resolution (Intro. No. 371 of 2021), Entitled “Approving Increase and Improvement of Facilities in the Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station;” and Amending the 2021-2026 Capital Improvement Program,” be Lifted from the Table
7. Wright & Hebert Morelle, Jr. Intro. 401 M. 105 27-0 21-0265 Providing that Resolution (Intro. No. 371 of 2021), Entitled “Approving Increase and Improvement of Facilities in the Rochester Pure Waters District – Add Project Entitled “Genesee Valley Pump Station;” and Amending the 2021-2026 Capital Improvement Be Adopted Environment and Public Works Committee; July 26, 2021 – CV: 7-0 Ways and Means Committee; July 27, 2021 – CV: 10-0
- Intro. 371 Res. 285 27-0 Main Motion
8. Morelle, Jr. & Hebert Roman Intro. 402 Res. 286 27-0 21-0265.br Resolution Authorizing the Issuance of \$5,500,000 Bonds of the County of Monroe, New York, To Finance the Cost of the Genesee Valley Pump Station Project In and For Said County, At An Estimated Maximum Cost of \$5,500,000 (Resolution No. 286 of 2021) Environment and Public Works Committee; July 26, 2021 – CV: 7-0 Ways and Means Committee; July 27, 2021 – CV: 10-0
9. Allkofer & Dondorfer Intro. 403 Res. 287 27-0 21-0290 Confirming Appointments to Monroe County Library System Board of Trustees  
*(Legislator Baynes declared his interest prior to the vote.)*
10. Hebert & Dondorfer Intro. 404 Res. 288 27-0 21-0291 Confirming Appointments to Monroe County Traffic Safety Board

11. Dondorfer & Brew  
Intro. 405  
Res. 289  
27-0
- 21-0292 Creating Special Committee to Examine and Revise the Monroe County Code of Ethics  
Agenda/Charter Committee; August 23, 2021 – CV: 4-0
12. Allkofer  
Ancello  
Hebert  
Intro. 406
- 21-0293 Amending 2021 Monroe County Budget to Transfer Funds and Authorizing Intermunicipal Agreement with Town of Mendon for Paving Services at County Services at County Owned Parking Lot in Lehigh Valley Trail Park  
Recreation and Education Committee; August 23, 2021 – CV: 4-1  
Intergovernmental Relations Committee; August 24, 2021 – CV: 3-0  
Ways and Means Committee; August 24, 2021 – CV: 7-4
- Intro. 407  
Mo. 106  
27-0
- Allkofer and Baynes, Hebert, Maffucci (Motion to Table)*
13. Dondorfer & Wright  
Intro. 408  
Res. 290  
27-0
- 21-0298 Confirming Appointments and Reappointment to Monroe County Recycling Advisory Committee  
Agenda/Charter Committee; August 23, 2021 – CV: 4-0  
Environment and Public Works Committee; August 23, 2021 – CV: 7-0
14. Wright & Hebert  
Intro. 409  
Res. 291  
27-0
- 21-0299 Authorizing Contract with Causewave Community Partners, Inc. for Implementation of Stormwater Community Education Program  
Environment and Public Works Committee; August 23, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
15. Wright & Dondorfer  
Keller  
Morelle, Jr.  
Intro. 410  
Res. 292  
27-0
- 21-0300 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Genesee Valley Pump Station Project  
Environment and Public Works Committee; August 23, 2021 – CV: 7-0
16. Wright & Hebert  
Intro. 411  
Res. 293  
27-0
- 21-0301 Authorizing Acceptance of Engineering Planning Grant from New York State Environmental Facilities Corporation for Genesee Valley Pump Station Project  
Environment and Public Works Committee; August 23, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
17. Wright & Hebert  
Morelle, Jr.  
Intro. 412  
Res. 294  
27-0
- 21-0303 Authorizing Contracts with MRB Group for Professional Engineering Services and University of Rochester for Genesee Valley Pump Station Project  
Environment and Public Works Committee; August 23, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
- (Legislator Hasman declared her interest prior to the vote.)*
18. Wright & Hebert
- 21-0305 Authorizing Acceptance of Engineering Planning Grant from New York State Environmental Facilities Corporation for Frank E. Van Lare Water Resource Recovery

- Intro. 413  
Res. 295  
27-0
- Facility - Recycle Improvements Study  
Environment and Public Works Committee; August 23, 2021 - CV: 7-0  
Ways and Means Committee; August 24, 2021, 2021 - CV: 11-0
19. Dondorfer & Hebert  
Intro. 414  
Res. 296  
27-0
- 21-0307
- Accepting Grant from New York State Governor's Traffic Safety Committee for New York State's Highway Safety Program  
Public Safety Committee; August 23, 2021 – CV: 8-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
20. Dondorfer & Hebert  
Intro. 415  
Res. 297  
27-0
- 21-0308
- Accepting Grant from New York State Division of Homeland Security and Emergency Services for 2020-21 Public Safety Answering Points Operations Grant Program  
Public Safety Committee; August 23, 2021 – CV: 9-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
21. Dondorfer & Hebert  
Intro. 416  
Res. 298  
27-0
- 21-0309
- Accepting Grant from New York State Governor's Traffic Safety Committee for Highway Safety Program  
Public Safety Committee; August 23, 2021 – CV: 9-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
22. Dondorfer & Hebert  
Intro. 417  
Res. 299  
27-0
- 21-0310
- Accepting Grant from New York State Division of Criminal Justice Services for 2021-2022 Aid to Crime Laboratories Program (Monroe County Crime Laboratory)  
Public Safety Committee; August 23, 2021 – CV: 9-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
23. Dondorfer & Hebert  
Intro. 418  
Res. 300  
27-0
- 21-0311
- Accepting Grant from New York State Division of Criminal Justice Services for County Reentry Task Force Program and Authorizing Contract with Delphi Drug and Alcohol Council, Inc.  
Public Safety Committee; August 23, 2021 – CV: 9-0  
Ways and Means Committee; August 24, 2021
24. Dondorfer & Ancello  
Hebert  
Intro. 419  
Res. 301  
27-0
- 21-0312
- Accepting Grant from United States Department of Justice, Office on Violence Against Women, for Improving Criminal Justice Responses Grant Program Also Known as the Arrest Program, and Authorizing Intermunicipal Agreement with City of Rochester and Contracts with Legal Aid Society of Rochester, New York, Planned Parenthood of Central and Western New York, Inc., and Willow Domestic Violence Center of Greater Rochester, Inc.  
*(Legislator Morelle, Jr. declared his interest prior to the vote.)*
25. Taylor & Hebert  
Intro. 420  
Res. 302  
27-0
- 21-0313
- Accepting Grant from New York State Office for the Aging for Payment of Expenses to Respond to COVID-19 Public Health Emergency and Its Negative Impacts  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
26. Taylor & Hebert  
Intro. 421  
Res. 303  
27-0
- 21-0314
- Accepting Two Grants from New York State Office for the Aging for Aging and Disability Resource Centers/No Wrong Door Systems COVID-19 Vaccine Access Supplemental Funding Program and Expanding Access to COVID-19 Vaccines via Aging Network Program  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0

27. Taylor & Hebert  
Intro. 422  
Res. 304  
27-0
- 21-0315
- Amending Resolution 214 of 2015, as Amended by Resolution 403 of 2015, Resolution 250 of 2016, Resolution 294 of 2017, and Resolution 198 of 2020, to Accept Additional Funding from New York State Department of Health and Extending Time Period and Authorizing Contract with Rochester Regional Health, Through Its Rochester General Hospital Permitted Laboratories, For the Public Health Campaign Program  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0  
*(Legislators Carbone and LaMar declared their interest prior to the vote.)*
28. Taylor & Hebert  
Lee  
Intro. 423  
Res. 305  
27-0
- 21-0316
- Amending Resolution 132 of 2016, as Amended by Resolution 251 of 2016, to Accept Additional Funding from New York State Department of Health and Extending Time Period for Lead Poisoning Prevention Program  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
29. Taylor & Flagler-Mitchell  
Hebert  
LaMar  
Intro. 424  
Res. 306  
27-0
- 21-0317
- Accepting Grant from Health Research, Inc. for Overdose Data to Action Program  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
30. DiFlorio & Hebert  
Intro. 425  
Res. 307  
27-0
- 21-0318
- Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Town of Brighton  
Ways and Means Committee; August 24, 2021 – CV: 11-0
31. Taylor & Hebert  
Intro. 426  
Res. 308  
27-0
- 21-0319
- Confirming Reappointment to Monroe County Board of Health  
Human Services Committee; August 24, 2021 – CV: 7-0
32. DiFlorio & Hebert  
Intro. 427  
Res. 309  
27-0
- 21-0320
- Authorizing Settlement of Notice of Claim against Monroe County Submitted by Frances Carrathers  
Ways and Means Committee; August 24, 2021 – CV: 11-0
33. Taylor & Hebert  
Intro. 428  
Res. 310  
27-0
- 21-0324
- Accepting Grant from Health Research, Inc. for Epidemiology and Laboratory Capacity Reopening Schools Program  
Human Services Committee; August 24, 2021 – CV: 7-0  
Ways and Means Committee; August 24, 2021 – CV: 11-0
34. Taylor & Felder  
Lee  
Baynes  
Flagler-Mitchell
- 21-0359
- Authorizing Two Settlement Agreements in New York Coordinated Opioid Litigation (Supreme Court, Suffolk County Index No. 400000/2017)

Hebert  
LaMar  
Maffucci  
Yudelson  
Intro. 393  
Res. 283  
27-0

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**RECESS**

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A recess was declared by President Carbone.

**RECONVENING LEGISLATURE**

President Carbone reconvened the recessed meeting of September 14, 2021 and proceeded under the Usual Order of Business.

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35. Brew & 21-0360 Appointments to the Legislative District Revision Committee  
Felder  
Lee  
Flagler-Mitchell  
Hebert  
LaMar  
Intro. 429  
Res. 311  
27-0

36. Intro. 430 Election for Position of Clerk of the Legislature  
Election No. 3

Mr. Brew nominated David Grant to serve as Clerk of the Monroe County Legislature.  
Mrs. DiFlorio seconded the nomination.

There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.

Upon calling the roll, David Grant, was elected to serve as Clerk of the Monroe County Legislature by the following vote:

Grant – Legislators Brew, Felder, Lee, Allkofer, Ancello, Barnahrt, Bauroth, Baynes, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hasman, Hebert, Keller, Keophetlasy, LaMar, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Wilcox, Wright, Yudelson, Carbone – 27

36. Intro. 431 Election for Position of Deputy Clerk of the Legislature  
Election No. 4

Mr. Brew nominated Reilly O'Brien to serve as Deputy Clerk of the Monroe County Legislature. Mrs. DiFlorio seconded the nomination.

Ms. Roman nominated Theresa Bertolone to serve as Deputy Clerk of the Legislature.  
Mr. Wilcox seconded the nomination.

There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.

Upon calling the roll, Reilly O'Brien, was elected to serve as Deputy Clerk of the Monroe County Legislature by the following vote:

O'Brien – Legislators Brew, Felder, Lee, Allkofer, Ancello, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keller, Keophetlasy, Marianetti, Smith, Taylor, Wright, Carbone - 17

Bertolone – Legislators Barnhart, Bauroth, Baynes, Hasman, LaMar, Maffucci, Morelle, Jr., Roman, Wilcox, Yudelson - 10

37. Intro. 432  
Election No. 5

Election for Position of 2<sup>nd</sup> Assistant Deputy Clerk of the Legislature

Mr. Brew nominated Ian Watkins to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Monroe County Legislature. Mrs. DiFlorio seconded the nomination.

Mr. Morelle, Jr. nominated Saul Maniero to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Legislature. Mr. Wilcox seconded the nomination.

There being no other nominations, President Carbone requested that a single vote be called for the candidate as presented.

Upon calling the roll, Ian Watkins, was elected to serve as 2<sup>nd</sup> Assistant Deputy Clerk of the Monroe County Legislature by the following vote:

Watkins – Legislators Brew, Felder, Lee, Allkofer, Ancello, Colby, DiFlorio, Dondorfer, Flagler-Mitchell, Hebert, Keller, Keophetlasy, LaMar, Marianetti, Smith, Taylor, Wright, Carbone - 18

Maniero – Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox, Yudelson - 9

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**UNFINISHED BUSINESS**

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Upon Motion by Legislator Brew, the Legislature Adjourned at 8:31 P.M. until **Tuesday, October 12, 2021 at 6:00 P.M.**

**David Grant**  
Clerk of the Legislature